

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HARRISON-HOGE INDUSTRIES, INC.,	:
	:
Plaintiff and	:
Counterclaim Defendant,	:
	:
vs.	:
	:
PANTHER MARTIN S.r.l. ,	:
	:
Defendant and	:
Counterclaim Plaintiff,	:
and	:
	:
AKUA, S.r.l.,	:
	:
Defendant.	:
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Civil Action No.
05 Civ. 2851 (JFB) (ETB)

NOTICE OF CROSS-MOTION

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Lelio Nahum dated June 26, 2007, the Declaration of Professor Maria Costanza dated June 25, 2007, and the Declaration of Nancy J. Mertzal dated June 26, 2007, and the exhibits annexed thereto, along with Defendants' Rule 56.1 Statement of Undisputed Material Facts, Defendants' Response to Harrison-Hoge Industries, Inc.'s Statement of Undisputed Material Facts Pursuant to Local Civil Rule 56.1, and Defendants' Memorandum of Law in Support of Their Cross-Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Summary Judgment, Defendants Panther Martin s.r.l. ("Panther Martin") and Akua s.r.l. ("Akua") respectfully cross-move this Court, in accordance with the schedule established herein, for an Order, pursuant to Fed. R. Civ. P. 56:

1. granting summary judgment in favor of Panther Martin on each of its counterclaims as follows:
 - a. declaring that Panther Martin owns the PANTHER MARTIN Mark;

- b. ordering the Commissioner of Trademarks to transfer U.S. Trademark Reg. No. 1,011,616 to Panther Martin;
 - c. enjoining HHI from using the PANTHER MARTIN Mark or any designation confusingly similar thereto;
 - d. awarding Panther Martin the sum of \$244,000, with interest; and
 - e. ordering immediate entry of final judgment on Panther Martin's counter-claim goods sold and received;
2. granting summary judgment in favor of Akua on all of HHI's claims and dismissing Akua from this action;
 3. awarding Defendants their attorneys' fees incurred in connection with opposing HHI's Rule 56.1 Statement; and
 4. granting such other and further relief as this Court deems just and proper.

Dated: New York, NY
June 26, 2007

THELEN REID BROWN
RAYSMAN & STEINER LLP

By: _____

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